

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-59 are pending in the application. Applicant respectfully submits that the pending claims define patentable subject matter.

Allowable Subject Matter

Applicant thanks the Examiner for indicating that claims 30 and 31 are allowed.

Prior Art Rejections

Claims 1, 2, 5-28, 32 and 36-59 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ludwig et al. (U.S. Patent No. 6,697,352 B1; hereinafter “Ludwig”) and Snelgrove et al. (U.S. Patent No. 6,985,722 B1; hereinafter “Snelgrove”) in view of Zhu (U.S. Patent No. 6,154,780). Applicant respectfully traverses this rejection.

Independent claim 1 recites, in part:

(c) separately transmitting the payload and the header,
wherein in the step (c), a bit stream, to which header information has been added by undergoing each communication protocol layer, is transmitted in an unacknowledged mode protocol, and only the header information in the bit stream is separately transmitted in an acknowledged mode protocol.

Thus, claim 1 requires, *inter alia*, separately transmitting the payload and the header, wherein only the header information is separately transmitted in an acknowledged mode protocol.

The Examiner concedes that Ludwig fails to teach or suggest this unique feature. Nevertheless, the Examiner asserts that Snelgrove discloses this claimed feature, and points to

Snelgrove, FIG. 8, and col. 20, lines 5-15 in support of his position. In particular, the Examiner argues that the above-noted feature of claim 1 corresponds to “the header of incoming data received from an IP source is compressed by the header compression node, which transmits the state and the traffic separately[.]” Applicant respectfully disagrees with the Examiner’s position regarding Snelgrove.

First, Applicant notes that Snelgrove relates to a data transmission method in which data is transmitted using a high reliability coder or a low latency coder. The present invention, on the other hand, relates to a data transmission method in which a data is transmitted using an acknowledged/unacknowledged mode protocol. Specifically, Snelgrove discloses a method for providing telecommunications services which utilizes separate paths, or channels, for transmitting separate types of data.¹ That is, the channels disclosed in Snelgrove transmit either “state” data or “traffic” data. Under Snelgrove, critical “state” data is routed on a dedicated state path, and less critical “traffic” data is routed on a dedicated traffic path.² However, Snelgrove does not specify that the transmission of the state data and/or the traffic data uses either an acknowledged mode protocol or an unacknowledged mode protocol. Indeed, with respect to the transmission of the state and traffic data, Snelgrove is completely silent as to whether an acknowledged mode protocol or an unacknowledged mode protocol is used. Thus, Applicant submits that Snelgrove fails to teach or suggest transmitting only the header information is separately transmitted in an acknowledged mode protocol, as claimed.

¹ See Snelgrove, FIG. 8 and col. 20, lines 5 and 6.

² See Snelgrove, FIG. 8 and col. 20, lines 9-12.

Second, both the state data and the traffic data undergo header compression at a compression node,³ and then once transmitted across the network, both undergo header decompression at a decompression node.⁴ In other words, both channels in Snelgrove, i.e., the state data and the traffic data, undergo header compression and decompression. Thus, header information is not transmitted separately under Snelgrove, since it is transmitted over both of the channels.

Consequently, even assuming, *arguendo*, that the state data and the traffic data channels correspond to acknowledged or unacknowledged protocol channels, Applicant submits that since header information is transmitted over both channels, Snelgrove fails to teach or suggest wherein only the header information is separately transmitted in an acknowledged mode protocol, as claimed.

Further, Applicant notes that Zhu fails to cure the deficiencies of Snelgrove and Ludwig noted above. Therefore, Applicant submits that none of the applied references teach or suggest all of the claimed features set forth in independent claim 1, and thus, claim 1 is patentable over the applied references.

Similarly, since independent claims 2, 29, 32 and 33 each recite features analogous to those cited above regarding claim 1, Applicant submits that independent claims 2, 29, 32 and 33 are also patentable over the applied references, at least for reasons analogous to those stated above regarding claim 1.

³ See Snelgrove, FIG. 8, element 130, and col. 20, lines 6-12.

⁴ See Snelgrove, FIG. 8, element 142, and col. 20, lines 16-18.

Finally, Applicant submits that dependent claims 5-28 and 36-59 are patentable over the applied references, at least by virtue of their respective dependency on claims 2, 29, 32 and 33.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

An Extension of time is being submitted via EFS. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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